

Office of the Secretary of Defense

§ 245.1

development programs and activities described in appendix A.

(2) Monitor the application of policies, responsibilities, and procedures contained in this rule within their subordinate elements.

(3) Designate an official to be the point of contact for intergovernmental coordination and review matters covered by this rule and report his or her name, position, and office to the ASD(MRA&L).

(4) Develop procedures that will ensure that a record of state comments, reviews, determinations, recommendations, and the status of programs and activities are maintained.

(5) Designate an official, in accordance with appendix C, who shall serve as a DoD liaison representative to the states in the respective Federal regions for all DoD intergovernmental coordination matters. The identification of the liaison representatives shall be provided to the ASD(MRA&L) who shall publish a directory of liaison representatives in the FEDERAL REGISTER. The liaison function shall be in addition to the representative's regular duties.

§ 243.6 Procedures.

(a) DoD Components shall establish and maintain an intergovernmental coordination management process, reflected in a cooperative agreement when feasible, to achieve full consultation with state, regional, and local entities for those programs and activities covered by this rule. DoD Components shall encourage reciprocal actions with regard to the State, regional, and local programs and activities.

(b) DoD Components shall establish and maintain an inter-agency coordination management process to ensure their development programs and activities are consistent and compatible with the development actions of Federal agencies operating at the local levels. DoD Components shall encourage reciprocal actions by other Federal agencies with regard to their programs and activities. Unresolved conflicts shall be brought to the attention of the ASD(MRA&L).

(c) DoD Components that conduct activities or operate installations that may be affected by the programs and activities of Federal agencies shall

take part in the community planning process by providing information, policy, and position statements on those programs and activities to the agencies concerned.

(d) The degree of public interest in a proposed program or activity shall be considered when deciding whether the Congress and the public shall be notified before offering information for comment as prescribed in this rule.

(e) In an emergency, provisions of this rule may be waived by the Secretary of the Military Department concerned. Such instances will be reported to the ASD(MRA&L).

(f) This rule does not affect normal cooperative community planning or coordination relationships between DoD installations and surrounding communities.

(g) Further procedures for DoD Federal development programs are prescribed at appendix D.

PART 245—PLAN FOR THE SECURITY CONTROL OF AIR TRAFFIC AND AIR NAVIGATION AIDS (SHORT TITLE: SCATANA)

Sec.

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AUTHORITY: 5 U.S.C. 301, 552.

SOURCE: 41 FR 9322, Mar. 4, 1976, unless otherwise noted.

§ 245.1 Foreword.

(a) This part is promulgated in furtherance of the Federal Aviation Act of 1958, as amended, the Communications Act of 1934, as amended, and Executive Order 11490, and supersedes: Plan for the Security Control of Air Traffic and Air Navigation Aids—June 1971.

(b) This part defines the responsibilities of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC) and the appropriate military authorities for the security control of civil and military air traffic, and control of federal and non-federal air navigation aids.

§ 245.2 Explanation of terms.

For the purpose of this part and supporting documents, the following explanations apply:

(a) *Air defense emergency*. An emergency condition which exists when attack upon the continental United States, Alaska, Canada, or U.S. installations in Greenland by hostile aircraft or missiles is considered probable, is imminent, or is taking place.

(b) *Air defense identification zone*. Airspace of defined dimensions within which the ready identification, location and control of aircraft is required.

(c) *Air navigation aid (NAVAIDS)*. (1) Federal NAVAIDS. VOR, VORTAC, TACAN and LORAN stations owned and operated by an agency of the Federal Government such as the FAA, Military Services and United States Coast Guard.

(2) Non-Federal NAVAIDS. VOR, VORTAC and TACAN stations licensed by the FCC.

(d) *Appropriate military authorities*. Within the NORAD area of responsibility—CINCNORAD AND NORAD region commanders. CINCNORAD has delegated all actions associated with the appropriate military authority to NORAD region commanders. Outside the NORAD area of responsibility—the Commander in Chief, or his designated representative, of unified or specified commands for U.S. areas located within their area of responsibility.

(e) *Defense area*. Any airspace of the United States (other than that designated as an ADIZ) in which the control of aircraft is required for national security.

(f) *Defense emergency*. An emergency condition which exists when:

(1) A major attack is made upon U.S. forces overseas, or allied forces in any area, and is confirmed either by the commander of a unified or specified command or higher authority.

(2) An overt attack of any type is made upon the United States and is confirmed either by the commander of a command established by the Secretary of Defense or higher authority.

(g) *Dispersal*. Relocation of aircraft to predesignated dispersed operating bases for the purpose of increasing survivability.

(h) *Diversion*. The intentional change of a flight from its intended destination for operational or tactical reasons.

(i) *Emergency Security Control of Air Traffic (ESCAT) Rules*. Emergency rules for the security control of air traffic prior to the declaration of Air Defense Emergency (see § 245.4).

(j) *FAA Region*. A geographical subdivision of the area for which the FAA is responsible.

(k) *Implement SCATANA*. The phrase used to direct FAA to commence those actions required in the SCATANA plan (see § 245.5).

(l) *Nontactical air traffic*. Civil or military flights other than tactical air traffic.

(m) *North American Air Defense Command (NORAD)*. An integrated United States—Canadian command. NORAD includes, as component commands, the United States Air Force Aerospace Defense Command and the Canadian Forces Air Defense Command.

(n) *NORAD Region*. A geographical subdivision of the area for which NORAD is responsible.

(o) *Rerouting*. The intended deviation of a flight from its original course without changing its destination.

(p) *SARDA*. State and Regional Disaster Airlift. A plan for the use of nonair carrier aircraft during a national emergency.

(q) *SCATANA*. The short title for the joint DoD/DOT/FCC plan for the Security Control of Air Traffic and Air Navigation Aids.

(r) *Security control authorization*. Military authorization for an aircraft to take off when ESCAT is applied or SCATANA has been implemented. (See §§ 245.5 and 245.8).

(s) *Tactical air traffic*. Military flights actually engaged in operational missions against the enemy, flights engaged in immediate deployment for a